

**MINUTES OF THE CLINTON CITY COUNCIL
NOVEMBER 18, 2014**

Minutes of the regular meeting of the Mayor and City Council of the City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, November 18, 2014 at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on Friday, November 14, 2014.

Mayor Seth Adams called the meeting to order with the following present:

MAYOR: Seth Adams

COUNCIL: Don Rodolph, Mustafa Sami, Wheeler Lowry, Jason Hulin

CITY MANAGER: Mark Skiles

CITY CLERK: Lisa Anders

CITY TREASURER: Absent

DEPUTY CLERK: Shona Stermer

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Corianne Fairchild

OTHERS: Kris Wermey, Conan Wilson, Rhonda Weil, Mike & Connie Burden, Donald Webb, Tyler Daniel and others.

Dan Day of the Ministerial Alliance opened the meeting with prayer and Councilman Sami led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of November 4, 2014

Motion was made by Councilman Lowry and second by Councilman Hulin that Consent Agenda Item No. 3 (a) be approved.

Mayor put the motion to a roll call vote:

Aye: Lowry, Hulin, Sami, Rodolph, Adams

Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER ORDINANCE NO. 935D REGARDING AMENDING WATER USE RESTRICTIONS

City Manager Mark Skiles said the ordinance is based on recommendation from the City Council regarding amending the water use restrictions.

City Attorney Ryan Meacham said the ordinance takes action to lift the restrictions previously discussed so as to alter a previous ordinance. Adoption of the new ordinance is necessary to implement action needed.

Motion was made by Councilman Sami and seconded by Councilman Rodolph to adopt Ordinance No. 935D as presented.

Mayor put the motion to a roll call vote:

Aye: Sami, Rodolph, Hulin, Lowry, Adams
Nay: None

Mayor declared the motion carried.

4B. PRESENTATION OF REVISED CITY CHARTER

City Attorney Ryan Meacham said the city charter was amended per the election results from the November 4, 2014 election. Notification to the Governor of the State of Oklahoma is required. A letter signed by the Mayor and a revised copy of the City Charter is required. He stated the changes would be effective January 1, 2015.

AGENDA ITEM NO 5.COUNCIL REPORT

None

AGENDA ITEM NO. 6: MANAGER'S REPORT

City Manager Mark Skiles reported a ribbon cutting had been held for Chapman Road on Thursday. He said the inspection and walk through was held today. Some signs and a couple house cleaning items were noted.

AGENDA ITEM NO. 7 : AUDIENCE PARTICIPATION

Connie Burden expressed concerns regarding the city's animal control shelter. She said the City needs to address the situation.

Rhonda Weil commented on the conditions of the facility.

City Manager Mark Skiles asked that they visit with him regarding the facility.

AGENDA ITEM NO. 8: ADJOURNMENT

Moved by Councilman Hulin and seconded by Councilman Sami to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Hulin, Sami, Lowry, Rodolph, Adams
Nay: None

Mayor declared the meeting adjourned at 5:40 p.m.

ORDINANCE NO. 935D

AN ORDINANCE TO AMEND WATER USE RESTRICTIONS

WHEREAS, the City has previously adopted Ordinance No. 935, 935A, 935B and 935C.

WHEREAS, implementation of Ordinance No. 935, 935A, 935B and 935C have failed to properly address water shortage issues.

WHEREAS, the Foss Master Conservancy District, which is currently the City's sole source of water, has capped water delivery to the City at 1.7 MGD with no option for the purchase of overage.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CITY OF CLINTON, OKLAHOMA:

I. Section 3 of Ordinance 935C (Codified as 9-5-3), of the Clinton City Code of Ordinances, shall be amended as follows:

Section 3. WATER USE RESTRICTION

(2) Extraordinary Use Restrictions: Whenever an Emergency exists by reason of a shortage of water due to an inadequate supply; limited treatment or distribution capacity; failure of equipment or material; or mandatory reductions or rationing imposed by a State, Federal or Regulatory Agency or the Foss Master Conservancy District, the Authority is hereby authorized to impose, by restriction, additional restrictions or prohibitions on the use of water from the water system, including, but not limited to:

A. A total ban on the outdoor use of water for non-essential use, excluding watering by soaker hoses during the hours identified in 9-3-5(1). This shall include the possible removal or locking of all irrigation meters from residences and businesses.

B. New landscape waiver. A waiver of subsection (2)(A) may be granted for the irrigation of new landscaping plants whereby watering would be permitted to maintain adequate moisture to sustain viability until the plants are established but not to exceed a 30-day time period, and only between the hours of 6 pm to 7pm.

1. Any person wishing such a waiver must make application to the City Manager or Designee, receive approval and pay a \$50.00 non-refundable fee.

2. Applicants receiving the above waiver must agree to pay a water rate that is three times normal rate for that customer for all consumption in excess of 4000 gallons as registered by a City

owned meter. The City may and typically will flow test meters measuring water used under this waiver. This special rate shall be in lieu of the surcharge cited elsewhere herein.

3. Persons who desire a waiver for new landscapes shall utilize exclusively water-use efficient trees, shrubs, ground covers, ornamental plants and turf; and are to utilize the use of mulch, compost and zonal irrigation systems. These plants and practices shall be those recommended by or recognized as water efficient and suitable for the area by Oklahoma State University. Turf grasses that qualify are Buffalo grass and Bermuda grass.

4. At any time, should the circumstances dictate, the City Manager may terminate and withdraw all waivers. If the waivers are terminated by the unilateral action of the City Manager, the issue shall be placed upon the next council agenda for review.

(3) Limitation: Any Extraordinary Restriction, as described in 9-5-3(2), shall be reviewed by the Authority on a monthly basis, but, in no event shall the restrictions extend beyond the reasonable duration of the underlying shortage and any restrictions may be terminated, at anytime, by Resolution of Council.

II. Section 9-5-6 shall be amended to read as follows:

The provisions of this chapter shall apply to all users of Municipal Water.

III. Emergency Clause. This ordinance shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED by the Council of the City of Clinton, Oklahoma this 18 day of November, 2014.


MAYOR

ATTEST:


CITY CLERK

(SEAL)